

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850
(240) 77-6600**

REGARDING APPEALS CHARGING ADMINISTRATIVE ERROR

PLEASE TAKE NOTICE

- (1) That the parties may be represented by counsel or represent themselves.
- (2) That the parties have the opportunity to present witnesses, cross-examine witnesses, and present supporting documentation.
- (3) That there are pre-hearing procedure requirements as set forth in Section 2A-7, Montgomery County Code 1994, as amended.
- (4) That the parties may request a continuance of the hearing by written request if made not less than five (5) days prior to the date of hearing.
- (5) That a verbatim record and transcript of the hearing will be made where said record and transcript is required by law; or, in the alternative, that any party may request that such record of the transcription be made at his or her expense.
- (6) That there is a right, subject to the provisions of the State Public Information Law, to inspect and copy at the requesting party's own expense documents of any party, administrative authority or investigating governmental agency involved where such inspection is not otherwise prohibited by law.

**BOARD OF APPEALS
FOR
MONTGOMERY COUNTY, MARYLAND
(240) 777-6600**

Docket No. A-
Date Filed _____
Hearing Date _____
Time _____

**APPEAL CHARGING ERROR
IN ADMINISTRATIVE RULING OR ACTION**

Please note instructions on reverse side.

Attach additional sheets if required for answers.

Appeal is hereby made pursuant to Section 2-112 of the Montgomery County Code 1994, as amended, from the decision or other action of an official or agency of Montgomery County specified below which Appellant contends was erroneous.

Official or agency from whose ruling or action this appeal is made _____

Brief description of ruling or action from which this appeal is made (attach duplicate copy of ruling or document indicating such action) _____

Date of that ruling or action: _____

Brief description of what, in appellant's view, the ruling or action should have been: _____

Number of section, and subsection if any, of the Montgomery County Code 1994, as amended, or citation or other statutory provision, which appellant contends was misinterpreted: _____

Error of fact, if any, involved in the ruling or action from which this appeal is made: _____

Error of law, if any, involved in the ruling or action from which this appeal is made: _____

Question(s) of fact, if any, presented to the Board by this appeal: _____

Question(s) of law, if any, presented to the Board by this appeal: _____

Description of real property, if any, involved in this appeal: Lot _____, Block _____
Parcel _____, Subdivision _____, Street and Number _____
_____, Town _____, Zone _____

Appellant's present legal interest in above property, if any: ____ Owner (including joint owner-ship).
____ Lessee. ____ Contract to lease or rent. ____ Contract to purchase. _____

Other(describe) _____

Statement of appellant's interest, i.e., manner in which appellant is aggrieved by the ruling or action complained of (as property owner or otherwise): _____

Further comments, if any: _____

I hereby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Signature of Attorney

Signature of Appellant(s)

Address of Attorney

Address of Appellant(s)

Telephone Number

Telephone Number

(OVER)

INSTRUCTION FOR FILING APPEAL CHARGING ERROR

IN ADMINISTRATIVE RULING OR ACTION

1. Address all correspondence to the County Board of Appeals, Stella B. Werner Council Office Building, 100 Maryland Avenue, Room 217, Rockville, Maryland 20850. Phone (240) 777-6600.
2. Send with the appeal a check or money order made payable to MONTGOMERY COUNTY, MARYLAND, to cover filing fee. Cash cannot be accepted.

\$ 150.00* - individual

\$ 500.00* - commercial property

* Refundable if appeal is granted.

INFORMATION TO ACCOMPANY APPEAL

1. 4 copies of Appeal Application (Form 3).
2. 4 copies of list of adjoining and confronting property owners (Form 5).
3. 4 copies of ruling or other document indicating official or agency action from which this appeal is made.
4. 4 copies of plats, plans, other exhibits, transcript of testimony, etc. which constituted the record of information and evidence before the official or agency in question in this matter at the time of the alleged erroneous ruling or action.

SUGGESTION FOR APPELLANTS

It is suggested that appellants consult the Montgomery County Code 1994, as amended, and that they direct any argument at the public hearing to the question of whether there was error of fact or law in the administrative decision from which the appeal is taken, on a basis of the facts before the administrative official or agency at the time of that decision.